

Represent individuals' and families' interests when they are not able to do so themselves

Overview

This standard is concerned with representing individuals' and families' interests when they are not able to do so themselves. They may not be able to do so themselves in situations where they are not present, feel unable to have a voice in the setting concerned, or are unwilling to do so. It involves determining and agreeing with individuals their preferences and wishes in order to find alternatives to representation. This standard focuses on representing the interests of individuals and families by acting on their behalf when requested to do so on single occasions, such as through the writing of a letter.

The term 'individuals' has been used to refer to the people you are assisting, including those who may be victims, survivors, witnesses or their associates. Associates may refer to family members, friends, colleagues or workers from organisations that support victims, survivors and witnesses.

The term 'act' has been used to refer to your role when representing the case, interests or points of view of individuals and their families to others.

There are three elements

1. Agree with individuals and families their preferences and wishes regarding representation
2. Act on behalf of individuals and families when they are not able to represent themselves
3. Enable individuals and families to evaluate and review the effectiveness of representation

Target group

This standard is designed to be applicable to those who act as a representative of others in any setting where this may arise.

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Performance criteria

You must be able to:

Agree with individuals and families their preferences and wishes regarding representation

1. introduce yourself and take the necessary actions towards welcoming individuals and towards encouraging them to be at ease, in line with their needs
2. listen and respond to points made, communicating using techniques which suit the needs and ability of the individuals
3. assist individuals to identify what they feel able to manage themselves and where they need representation from others
4. explain to individuals the nature of the services, support and assistance which your organisation can offer, using language they can understand
5. assist individuals to identify and to explore those aspects of their lives affected by their experience, and determine those preferences and wishes which are priorities to address
6. agree the scope and goals for representation with individuals, clarifying the points raised to confirm understanding
7. seek advice and support from an appropriate person where you are unsure of how best to support individuals
8. seek support from an appropriate person when individuals have a need for more formal advocacy
9. maintain records of the agreed preferences and wishes, in line with your organisation's requirements

Act on behalf of individuals and families when they are not able to represent themselves

10. express the scope and goals of individuals in line with the agreements made, when acting as their representative with others
11. identify and discuss differences of opinion between the people involved, using techniques which allow them to think through any relevant issues
12. take decisions and actions on behalf of individuals consistent with their values, needs, preferences and rights, and which are designed to be in their best interests
13. consult with individuals on every matter about which there is concern
14. seek advice from an appropriate person when problems arise regarding the representation
15. explore with individuals the limits of the representation you can offer, and reach a working agreement, including when it is inappropriate for you to undertake an action on their behalf
16. maintain records of the actions taken on the individuals' behalf, in line with

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your organisation's requirements

Enable individuals and families to evaluate and review the effectiveness of representation

17. take the relevant actions towards enabling individuals to be at ease during the evaluation and review of the representation, in line with their needs
18. encourage individuals to monitor and assess the effectiveness of the representation arrangement
19. support individuals in evaluating the outcomes achieved against the original scope and goals set
20. enable individuals to reset goals and change the scope of representation, where appropriate
21. explore any concerns with individuals about the effectiveness of the representation, including that of your role as their representative, and reach working agreement about what action to take next
22. encourage individuals to explore who would be most suitable to represent their needs, and how this can be actioned, where there is a need to identify alternatives to representation
23. seek advice from an appropriate person when events have not gone as planned
24. maintain records of the evaluation of the representation arrangement, in line with your organisation's requirements

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Knowledge and understanding

You need to know and understand:

Legislative, regulatory and organisational requirements

1. legal and organisational requirements which relate to representing the preference and wishes of individuals, and their impact for your area of operations
2. legislation, policies and procedures relating to data protection, health and safety, diversity and their impact for your area of operations
3. the role of your organisation and its services, and the services which it provides in supporting and representing individuals and their families
4. organisational policy and procedures regarding confidentiality of information and the disclosure of information to third parties, and the specific circumstances under which disclosure may be made
5. the limits of your authority and responsibility, and the actions to take if these are exceeded

Working within the justice sector

6. good practice communication techniques relevant to the situation and how to apply them
7. the importance of supporting individuals and their families to make their own decisions, where appropriate
8. how to provide individuals with different options so that they can make informed choices, and methods for doing this
9. how to support individuals in determining the goals and scope of the representation, including procedures used within your organisation
10. sources of information, advice and support on rights, and how individuals can access them
11. methods of enabling individuals and families to communicate their wishes where there are communication differences
12. why it is important to represent individuals accurately and without prejudice
13. the ways in which stereotyping and discrimination might affect the assessment of the needs of individuals, and how to guard against this
14. how to validate the views of individuals and their families
15. circumstances under which it might be necessary to breach the duty of confidentiality
16. the conflicting interests which may arise, and methods of handling these
17. how individual and structural discrimination can undermine and exclude people from exercising their rights and responsibilities
18. strategies for dealing with oppression, disadvantage and discrimination and

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their effectiveness

19. the options for representing individuals, and the reasoning processes used in determining the most appropriate representation for the individuals concerned

20. why it is important to agree and confirm the goals and scope of the representation with individuals, including the appropriate action being taken

21. why support in assessing the effects of representation may be necessary

22. the different tensions which might arise between the your work role, and acting as a representative for individuals

23. the remit and responsibilities of organisations in negotiation and conciliation, including methods for accessing and referring individuals to other organisations

24. the different ways of supporting others to evaluate and review the representation process, including methods for assessing the outcomes against the scope and goals agreed at the outset

25. methods of encouraging individuals to communicate their true feelings about their presentation, and offer constructive feedback

26. how to recognise the circumstances in which it is best to involve others, including when to withdraw from the representation agreement

27. the importance of evaluating and where relevant, modifying representation agreements for individuals, including:

27.1 methods for achieving this

27.2 the associated importance of disseminating information on what has worked and why

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